

MEMO ENDORSED

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #:
DATE FILED: 11/3/2020

MAGALIS OTERO,

Plaintiff,

-against-

VERIZON NEW YORK INC., CETERIS PORTFOLIO
SERVICES, LLC D/B/A NORTH SHORE AGENCY,
COLLECTO, INC. D/B/A EOS CCA AND
RECEIVABLES PERFORMANCE MANAGEMENT,
LLC,

Defendants.

Case No.: 1:20-cv-05126-VEC

**DEFENDANT VERIZON
NEW YORK INC.'S NOTICE
OF MOTION TO COMPEL
CONTRACTUAL ARBITRATION
AND STAY ACTION**

PLEASE TAKE NOTICE, that upon the annexed Declaration in Support of MARIA KOSHA, along with the exhibits annexed thereto, the Memorandum of Law in Support of Motion to Compel Contractual Arbitration, dated October 30, 2020, together with all pleadings, all prior proceedings and all directives had herein, Defendant, **VERIZON NEW YORK INC.** ("Defendant"), by its attorneys, MCGIVNEY KLUGER CLARK & INTOCCIA, P.C., will move this Court, before the Honorable Valerie Caproni, District Judge, in the United States District Court for the Southern District of New York, located at the Thurgood Marshall United States Courthouse, 40 Foley Square, New York, NY 10007, upon such date as the Court may assign, or as soon thereafter, as counsel can be heard, for an Order:

1. Compelling arbitration pursuant to the parties' written agreement and the Federal Arbitration Act ("FAA"), 9 U.S.C. § 2, *et seq.*; and
2. Staying this action pending the outcome of the arbitration.

PLEASE TAKE FURTHER NOTICE that all answering papers, if any, are to be served in accordance with the Local Rules of this Court.

There has been no prior request for the relief sought herein.

Dated: New York, New York
October 30, 2020

Yours, etc.,

**McGIVNEY, KLUGER, CLARK &
INTOCCIA, P.C.**

Howard A. Fried

Howard A. Fried (HAF2114)

Attorneys for Defendant

VERIZON NEW YORK INC.

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(Filed and served upon all parties via ECF/Pacer.)

Plaintiff must respond to Defendant Verizon's motion
to compel arbitration not later than **November 24,
2020**. Defendant Verizon may reply not later than
December 5, 2020.

SO ORDERED.



11/3/2020

HON. VALERIE CAPRONI
UNITED STATES DISTRICT JUDGE